13th August 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice."

Issue of Civil Services (Safeguarding of National Security) Rules, 1954.

* 1326-C *Q*.—SRI M. KALYANASUNDRAM : Will the Hon. the Minister for Finance be pleased to state—

(*a*) the circumstances leading to the issue of the new rules called the Civil Services (Safeguarding of National Security) Rules, 1954;

(*b*) what other rules are in force either under Article 309 or 313 of the Constitution governing the conditions of service of the State Government servants; and

(*c*) whether the Government will be pleased to place on the table of the House all these rules?

THE HON. SRI C. SUBRAMANIAM :—" (*a*) The Madras Civil Services (Safeguarding of National Security) Rules, 1954, have been issued following the rules, issued by the Government of India, known as the Civil Services (Safeguarding of National Security) Rules, 1953. They are not a new set of rules but a revised edition of certain rules that were in force from 1949.

" (*b*) All rules governing the conditions of service of members of the State and the Subordinate Services were issued under Section 241 of the Government of India Act, 1935, and they have been continued in force by Article 313 of the Constitution. After coming into force of the Constitution, these rules are being re-issued under the proviso to Article 309 of the Constitution. So far 21 sets of rules have been re-issued.

" (*c*) In view of the labour and cost involved, it is not possible to place a copy of the rules so far re-issued, on the table of the House immediately."

SRI M. KALYANASUNDRAM :—" கனம் சபாநாயகர் அவர்களே, கனம் மந்திரி அவர்கள் சொன்ன பதிலிலிருந்து இந்த விதிகள் 1949-ம் வருஷத்திலேயே இயற்றப்பட்டு மீண்டும் வெளியிடப்பட்டதாகச் சொன்னார்கள். இந்திய அரசியல் சட்டத்தில் 311-வது பிரிவின்படி இந்த மாகாணத்தில் சிப்பந்திகளை தண்டிப்பதற்கோ, வேலையிலிருந்து நீக்குவதற்கோ நடவடிக்கை எடுக்கும்போது அவர்களின் குற்றச்சாட்டுகள் ஒவ்வொன்றாக நிரூபிக்கப்படவேண்டும் என்பதை புறக்கணித்து வெளியிட்டிருப்பதன் அவசியம் என்ன ?"

THE HON. SRI C. SUBRAMANIAM :—" If it is repugnant to the provisions of the Constitution, no court will uphold it. But we are quite satisfied that this is in consonance with the provisions of the Constitution."